

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 COMMONWEALTH OF THE)
 NORTHERN MARIANA ISLANDS,)
 GOVERNOR OF THE NORTHERN)
 MARIANA ISLANDS,)
 COMMISSIONER OF THE)
 DEPARTMENT OF PUBLIC)
 SAFETY, SECRETARY OF THE)
 DEPARTMENT OF LABOR AND)
 IMMIGRATION, SECRETARY OF)
 THE DEPARTMENT OF)
 COMMUNITY AND CULTURAL)
 AFFAIRS,)
)
 Defendants.)
)
 _____)

CIVIL ACTION NO. CV 99-0017

STATUS REPORT

DEPARTMENT OF CORRECTIONS

PART 1 OF 2 PARTS

October 1, 2005

**SAIPAN CORRECTIONAL/DETENTION FACILITY
VINCENTE TAMAN SEMAN BUILDING
SUSUPE, SAIPAN MP**

Occupancy Strategy and Recommended Staffing Patterns

General

The new prison/jail complex at the Vicente Taman Seman Building is near completion and tentatively scheduled for opening in February 2006. A transition team has been trained and put in place (8/26/05) to work on logistical, operational and staff training issues relative to the move. New staff are being hired and trained to fill the existing vacancies that will bring the staffing levels up to the current approved level. Additional staff will also be hired and trained to bring staffing levels up to the level necessary to operate the new facility in a safe, secure and efficient manner.

The purpose of this report is to present an occupancy strategy and staffing plan for the new facility. The current average daily population (ADP) is approximately 150 inmates. This includes Adult Males (Pre-trial, Sentenced, and RSAT); Immigration Detainees; and, Females. This is considerably below both the single cell design capacity (342) and the maximum rated capacity for the new facility (513). For this reason the Secretary has requested the Consent Decree Coordinator and the Department to explore various occupancy schemes that would fully meet the correctional and detention needs of the Commonwealth and be consistent with Constitutional minima; the specific requirements of the Consent Decree; and, ACA Standards. The proposal presented below meets all those criteria.

The jail/prison facility was designed with a mix of single cell units and low occupancy dormitory units. The design capacity of the facility for that configuration is 342. However, each cell in the facility, except for the single handicapped access cell in each unit, has sufficient square footage to be double bunked. Additionally, the day room space in each unit is sufficiently large enough to meet the minimum square footage requirements if all the cells in the housing units were double bunked. The number of beds in the dormitory units could be increased by 50% or even 100% and still meet the minimum square footage requirements. The volume of the units and the air change capacity is also sufficient for that level of occupancy.

The recommendation in this report is to open only two (2) of the four (4) Housing Quads and to increase the number of beds in the dormitories by 50% and to double bunk 50% of the cells in each housing units. This will maintain an adequate number of single cells in each unit for inmate management purposes, and Consent Decree and Standards compliance. It also supports unit management/direct supervision management principles.

None of these modifications will adversely impact any of the program, support or service functions in the facility, since the core functions and support areas were built to accommodate an inmate population at the maximum rated facility capacity of 513.

It would also be staff inefficient to open all four of the large housing pods, when opening only two of those pods will provide adequate housing and inmate separation capacity for both current and projected near future housing needs. For example:

Housing Unit 4 (SW Quad)

Proposed Capacity	Designation	Configuration	Actual
64 Bed Dorm	Minimum Custody	32 Double Bunks	(42)
18 Cell Unit	Administrative Segregation	6 Double/6 Single	(10)
18 Cell Unit	Disciplinary Segregation	6 Double/6 Single	
36 Cell Unit	Med/Max Custody	12 Double/12 Single	(33)

136 TOTAL BEDS FOR SW QUAD # 4

Housing Unit 3 (SE Quad)

Proposed Capacity	Designation	Configuration	Actual
36 Cell Unit	Central Mens Detention (PT)	12 Double/12 Single	(33)
18 Cell Unit	Intake Unit (PT)	6 Double/6 Single	(12)
18 Cell Unit	Immigration (CD)	6 Double/6 Single	(7)
18 Cell Unit	RSAT Males	6 Double/ 6 Single	(6)
18 Cell Unit	Females	6 Double/6 Single	(9)

108 TOTAL BEDS FOR SE QUAD Total Actual 9/1/05 (152)

244 TOTAL BEDS, BOTH QUADS.

A proposed modification to this scheme is to separate the Females from the males and move them into a connecting 12-bed dormitory and 12 cell housing unit in the NW Quad # 1. In that double unit the females would have adjacent private exercise areas, multipurpose room and counseling room for their exclusive use. They would also have adequate housing options to separate various female inmates – something that cannot be done now. The Females would also be adjacent to the visiting area. This option would resolve almost all of the sight and sound issues as well as improve inmate management overall. The staffing impact would be two officers per shift in operations for a total of 8 CO's.

This option would also open up a "swing" pod in the male housing area between the Intake Pod and the Immigration Pod - a significant population management tool.

268 TOTAL BEDS, BOTH QUADS, PLUS SEPARATE FEMALE HOUSING

The vacant NE Quad # 2 and 2/3 of the NW Quad # 1 remaining after female housing will be available for future CNMI expansion and/or for lease to other governmental units or agencies.

Staffing Plan Comments

General

I refer to this as a staffing plan rather than a staffing analysis because the analytical elements of staffing are part of the facility design process – the layout of the physical plant – and the development of an operational philosophy –generally reflected in the policies and procedures. The new facility was described in the planning documents as a “modified” direct supervision facility. The operational philosophy was initially direct supervision. During the design and construction phase training was provided in “Interpersonal Communications “(IPC), a direct supervision skill, and “How to Run a Direct Supervision Housing Unit”.

The facility, as constructed, is primarily a remote surveillance facility with opportunities for direct supervision in some of the larger dormitory and 24/36 cell housing units. The rest of units are currently set up to be monitored and controlled from a remote station in each housing Quad. If actually operated this way, in addition to two officers in central control, each of these stations will need to be staffed 24/7. Given the current staffing guidelines it will not be possible to both staff these Quad Control Centers and provide adequate staff to supervise inmates in the smaller housing units.

If the Quad control functions can be reverted to Central Control there would be sufficient staff for direct supervision in the larger units, and modified direct supervision in the smaller units as originally envisioned in the programming phase. However, if the electronic retrofit cannot be accomplished, or is cost prohibitive, the facility will need to operate as a hybrid – partially direct supervision and partially remote surveillance. The staffing will remain the same, but the quality of inmate supervision in the remote surveillance areas will be marginal.

Regardless of the what happens with Quads 3 & 4, if the decision is to operate a separate women’s section in a Quad # 1, those housing units will be so small that it would not make sense to open the Quad control. Consequently, the Female housing areas will be strictly direct supervision.

The staffing plan is divided into three (3) functional sections: Administration; Operations; and Programs & Support Services. Included below is a brief commentary on the staffing plan for each of those sections.

Administration

There are no “Shift Relief Factors” for any of the 10 positions here. The Undersecretary and the Major will coordinate their leave and off Island time to maximize coverage and availability. The Administrative Officer manages the office staff and regulates leave time to maintain an even flow of necessary support work. The Administrative Officer could be a civilian since he/she will supervise an all civilian staff.

Operations

There are four (4) operations teams under the command of the Operations Captain. Again, there is no SRF applied here. These teams cover the facility operation 24/7.

Regular days off are built into the team schedule. The only time off that needs to be managed by the Shift Lieutenants is Annual Leave, Training Leave, Sick Leave and Holiday Leave. If properly managed, the current leave patterns indicate that for every five (5) officers assigned to a shift, one will be out on some form of leave. The teams are structured so that the facility will be adequately staffed with up to four (4) officers on leave. Beyond that, some overtime will be required. There are sufficient staff in each specialized category to generally insure adequate coverage provided that the Lieutenants manage the leave function properly.

Programs and Support Services

Most of these are "business hours" functions that do not need relief. Some positions, however, need to provide expanded coverage, six (6) day or seven (7) day coverage. Some others have special hours. Those positions are marked with an "*". The positions and functions are self explanatory through the job title.

PRELIMINARY STAFFING RECOMMENDATION (2 UNITS)
MINIMUM STAFFING LEVEL
CNMI DOC

Position/Post	Day	Team A	Team B	Team C	Team D
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ADMINISTRATIVE

Undersecretary	1				
Major	1				
Admin Officer (Lt.)	1		(Could be civilian, supervises all civilians)		
Secretary	1		(Civilian)		
Legal Secretary	1		(Civilian)		
Clerks	2		(Civilian)		
Receptionist/Visit	2		(Civilian)		
Accounting Clerk	1		(Civilian)		
Subtotal	10				

OPERATIONS

Operations Captain	1					(1)
Shift Lts.		1	1	1	1	(4)
Asst. Shift Com/Sgts		1	1	1	1	(4)
Housing Sgts		1	1	1	1	(4)
Intake/Book Sgt.		1	1	1	1	(4)
Booking /Rel Officer (III)		2	2	2	2	(8)
Central Control (III)		2	2	2	2	(8)
Housing Pod 4		3	3	3	3	(12)
Housing Pod 3		3	3	3	3	(12)
Rover/Relief/Escort		3	3	3	3	(12)
Perimeter		1	1	1	1	(4)
Subtotals	1	18	18	18	18	(73)
Fem Option		2	2	2	2	
Subtotal		20	20	20	20	(81)

CNMI DOC

9/23/2005

PRELIMINARY STAFFING RECOMMENDATION (2 UNITS)
MINIMUM STAFFING LEVEL
CNMI DOC

Position/Post	Day	Team A	Team B	Team C	Team D
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_PROGRAMS & SUPPORT SERVICES

Programs/Sup Capt. 1

Logistics/Supply Lt. 1

PIPC 1

Safety Officer I 1

Security officer 1

Program Officer III 1

Classification Off*II. 2

Counselors* 4 (VOITIS/TIS)

Visitation Off II* 3 (Tuesday-Sunday 1200 to 2000)

Ct/Med Trans Off II 2

Laundry 1 Civilian

Custodial Sup* 2 Civilian

Subtotal 20

TOTAL 103

OPT. TOTAL 111 (with separate female housing in Pod 1)

Assumes a Food Service Contract

Assumes a Medical Contract

Assumes a Systems Infrastructure Contract

No Shift Relief Factor .

All Bold Print in operations section indicates mandatory staffing level for these posts 24/7 – No exceptions.

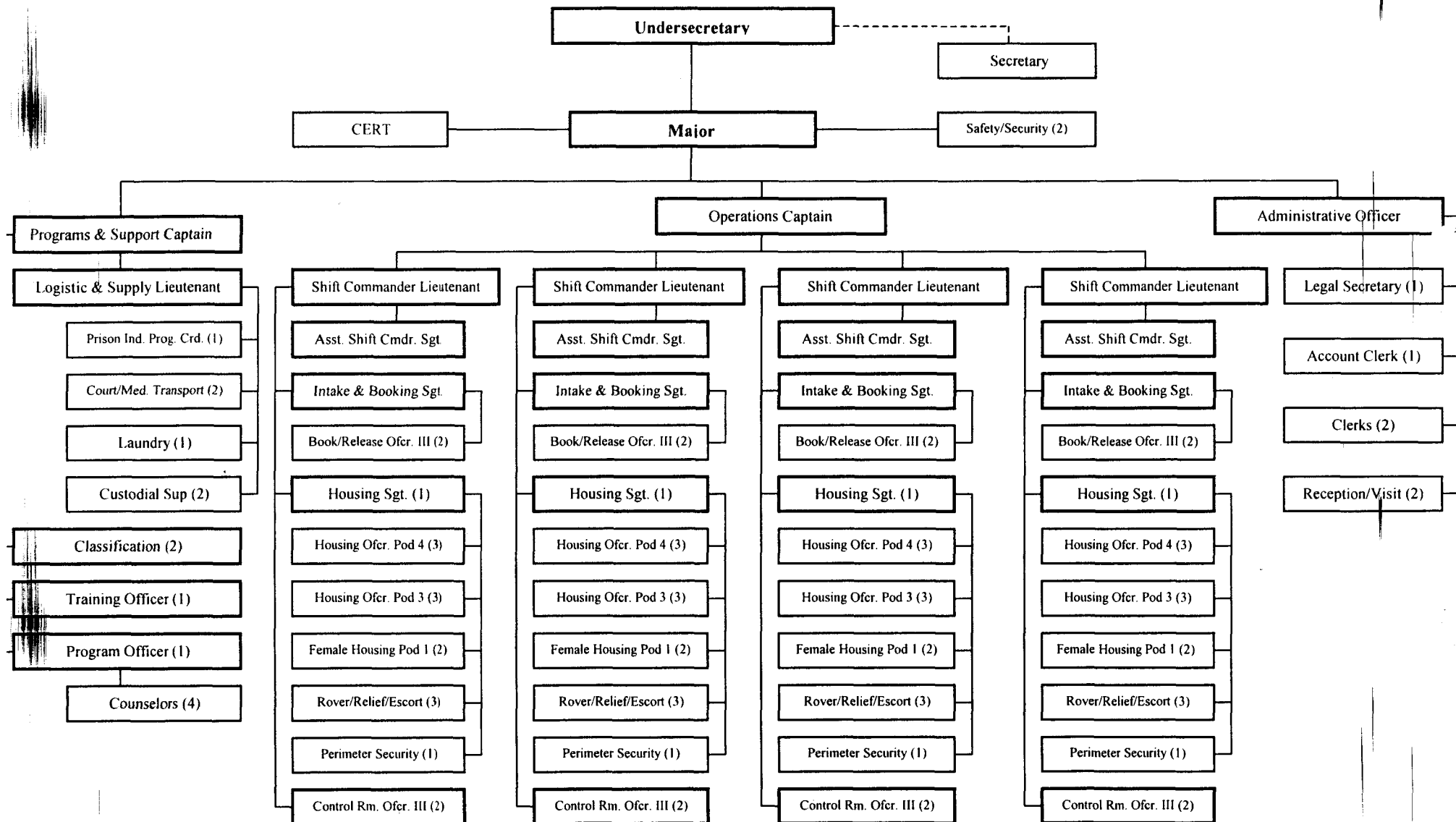
* Indicates Captain must coordinate days off/leave to achieve 6/7 day coverage.

CNMI DOC

9/23/2005

ORGANIZATION CHART

VICENTE TAMAN SEMAN FACILITY



Consent Decree Requirement	Substantial Compliance Yes / No	Impact: Health, Injury, Security, Other	Estimated Costs to Achieve Compliance	Status
<p>Planning Defendants shall develop a short-term and long-term plan for operating SPC, SDF, TDF, and RDF. This plan shall address operating these facilities as a system, where practicable. This plan shall correct current deficiencies and address future population growth. In particular, the plan should address: (a) Facility population projections and classification of projected populations; (b) Space requirements for housing and projected population in SPC, SDF, TDF, and RDF; (c) Programming and services at these facilities appropriate to their populations, including medical care, mental health care, food service, and protection from harm; (d) Staffing and training; (e) Security and emergency planning; (f) Funding.</p>	Yes			
<p>The short-term component of the plan shall be completed within 30 days of the entry of this Decree and updated every six months. [§ II Planning ¶ 9]</p>				
<p>Defendants shall obtain the assistance of professional consultants in developing this plan. Defendants may seek the assistance of the National Institute of Corrections in developing the plan. Compliance with this planning requirement shall not be dependent or contingent, however, upon obtaining assistance from the National Institute of Corrections. Defendants may utilize such other professionals to develop this plan as they deem appropriate. [§ II Planning ¶ 10]</p>	Yes			
<p>Defendants shall provide the United States with a copy of the final proposed short-term and long-term plan and their revisions upon completion. The United States shall have the right to review the plans so developed and shall have the authority to disapprove any plan or portion of the plan which it concludes fails to comport with appropriate penological practice. [§ II Planning ¶ 11]</p>	Yes			

<p>If the Defendants choose to operate RDI and TDI as temporary holding facilities, defined as routinely confining inmates for less than twenty-four (24) hours, absent exigent circumstances, but for no longer than forty-eight (48) hours, then RDI and TDI shall not be required to comply with the following requirements of this Decree: (a) The portion of Paragraph 19 requiring Defendants to provide metal storage lockers; (b) Paragraph 45 which requires Defendant to provide hot water in bathrooms; (c) Paragraph 50 requiring health screening, testing, and examinations; (d) Paragraph 53 requiring the facilities to be staffed by full-time correctional officers; (e) Paragraph 54 requiring training for correctional officers; (f) Paragraph 56 requiring classification of inmates; (g) Paragraph 60 requiring special needs, protective custody, and disciplinary / maximum security housing areas; (h) Paragraph 60 requiring a secure perimeter fence; and (i) Paragraph 62 requiring control of tools and utensils. [§ 11 Planning ¶ 12]</p>	Yes			
<p><u>Fire Safety</u> Defendants shall protect persons confined in SPC, SIDI, TDI, RDI, KYF, and SIDI from undue risk of harm from fire and smoke. [§ 11 Fire Safety ¶ 13]</p>	Yes			
<p>Within 180 days of entry of this Decree, Defendants shall provide a complete and working fire alarm system with system type smoke detectors in SPC, SIDI, TDI, RDI, KYF, and SIDI. Such fire alarm and smoke detection system shall be continuously monitored by staff through a central control panel at each facility and shall directly alert the fire department. Defendants shall test the alarm and smoke detection system monthly, and service or repair as necessary. [§ 11 Fire Safety ¶ 14]</p> <p>NOTE: SEE EXCEPTION IN ¶ 65.a.</p>	Yes			
<p>Defendants shall remove all polyurethane foam mattresses, pillows, furniture, and other foam materials, such as insulation, from SPC, SIDI, TDI, RDI, KYF, and SIDI. Defendants agree to utilize only fire resistant and/or retardant mattresses, pillows, bedding, furniture, insulation, and other materials. [§ 11 Fire Safety ¶ 15]</p>	Yes			
<p>SPC, SIDI, TDI, RDI, KYF, and SIDI shall each have a back-up generator for use during power-outages. Each generator shall comply with the National Fire Protection Association Code and be capable of powering all alarms, lights, and other fire-safety and emergency equipment. Defendants shall test and service such generators weekly, including servicing the battery charger, regular oil changes,</p>	Yes			

live load tests, and in-use tests. [§ III Fire Safety ¶ 16]				
Defendants shall complete a comprehensive survey of all substandard and hazardous electrical conditions and correct such conditions at SPC, SDF, TDF, RDF, KYF, and SDDF. Afterwards, the C/NM Fire Division or other qualified agency shall conduct an inspection of these facilities to identify electrical fire and shock hazards, and the defendants shall correct any hazards. [§ III Fire Safety ¶ 17]	<i>Yes</i>			
Defendants shall install emergency lighting and exit signs at SPC, SDF, TDF, RDF, KYF, and SDDF. [§ III Fire Safety ¶ 18]	<i>Yes</i>			
Within 180 days from entry of this Decree, Defendants shall provide approved metal waste receptacles and metal containers to store personal combustible items for staff and persons confined at SPC, SDF, TDF, RDF, KYF, and SDDF. The storage containers for personal items that inmates are permitted to keep in their cells shall be located in their sleeping areas and provide inmates with easy access to their personal belongings. Defendants shall also remove all unnecessary combustible items and materials from housing unit, storage areas, and common areas. [§ III Fire Safety ¶ 19]	<i>No</i>			<i>will comply with requirement at the new prison complex</i>
NOTE: EXCEPTION FOR METAL STORAGE LOCKERS ONLY FOR TDF/RDF. ALL OTHER PROVISIONS REMAIN IN EFFECT				
Within 180 days from entry of this Decree, Defendants shall provide SPC, SDF, TDF, RDF, KYF, and SDDF, or units of such facilities, each with local common key locks for all cell, ingress/egress, and other locking doors along the path of ingress/egress. Each such facility, or unit of a facility, shall utilize local common keys in a manner that permits speedy evacuation of the facility while ensuring security. Such keys shall be identifiable by sight and touch. All ingress / egress doors shall be able to be unlocked from both sides. No cell doors, ingress/egress door, or other locking door obstructing the path of ingress / egress shall be secured with any lock other than the common-key lock. [§ III Fire Safety ¶ 20]	<i>Yes</i>			
Defendants shall ensure that a set of emergency keys that function appropriately on all exist doors is kept readily accessible to staff on all shifts at SPC, SDF, TDF, RDF, KYF, and SDDF. All corrections staff must be educated with respect to the location of emergency keys within their facility. [§ III Fire Safety ¶ 21]	<i>Yes</i>			

Within 180 days of entry of this Decree, Defendants shall install at SPC and SDDF a complete automatic sprinkler system with quick response heads throughout the facility, including storage and staff areas, except where such sprinklers are unfeasible due to conditions such as high temperatures in equipment rooms. [§ III Fire Safety ¶ 22] NOTE: SEE ¶65.b. FOR PARTIAL EXCEPTION	NO			In lieu of the Fire Sprinkler, smoke detectors were installed @ MSF.
Defendants shall provide at SPC, SDF, TDF, RDF, KYF, and SDDF a fire or smoke emergency evacuation safe refuge area at least fifty feet from the facility that is directly accessible to evacuating persons. Such refuge area shall provide sufficient space to safely hold evacuees. [§ III Fire Safety ¶ 23]	Yes			
Within 180 days from entry of this Decree, Defendants shall cease housing persons in the wood-frame structure at SPC designated the "half-way house." No person shall be housed in wood-frame buildings. As an interim measure until inmates are no longer housed in this wood-frame building, Defendants shall immediately ensure that no cooking or smoking takes place in the building, that inmates' personal items are kept at a minimum and are stored in metal lockers, the building has sufficient single-station fire alarms and smoke detectors, and that the building is continuously supervised by a staff-member inside the building with two-way communication to a central command center capable of calling the fire department. [§ III Fire Safety ¶ 24]	Yes			
Defendants shall develop a comprehensive and ongoing fire-safety and other emergency training program for SPC, SDF, TDF, RDF, KYF, and SDDF. Such training shall consist of emergency procedures, use of fire protection and other emergency equipment, and evacuation of inmates and staff, under actual fire or other emergency conditions. Such training shall be conducted at least annually and for all newly hired persons. In addition, defendants shall conduct regular fire and other emergency drills at each facility in which staff use emergency equipment and procedures to evacuate the facilities and respond to a fire or other emergency. [§ III Fire Safety ¶ 25]	Refused Yes			

Within 180 days from entry of this Decree, Defendants shall provide SPC/SIDF and SHDF with necessary fire evacuation equipment to include two emergency breathing apparatus for each facility and sufficient fire extinguishers. Defendants shall provide RIDF, TIDF, and KYF with necessary fire evacuation equipment to include one emergency breathing apparatus for each facility and sufficient fire extinguishers. RIDF and TIDF may use the emergency breathing apparatus located at their respective fire departments. [§ III Fire Safety ¶ 26]	Yes			
Defendants shall establish and document at SPC, SIDF, TIDF, RIDF, KYF, and SHDF a fire safety and emergency equipment maintenance and inspection program to evaluate on a regular basis each facility for fire safety, and test, service, and maintain all fire safety equipment. [§ III Fire Safety ¶ 27]	Yes			
Defendants shall designate at SPC, SIDF, TIDF, RIDF, KYF, and SHDF a fire safety and emergency coordinator for each facility who shall be responsible for each facility's fire safety and other emergency training, equipment, and other programs. [§ III Fire Safety ¶ 28]	Yes			
Defendants must at all times staff SPC, SIDF, TIDF, RIDF, KYF, and SHDF with at least one staff-person per housing unit directly responsible for and capable of detecting and responding to a fire or other emergency and evacuating persons confined in these facilities. [§ III Fire Safety ¶ 29]	Yes			
Defendants shall install a second outside exist at SHDF that can be used to evacuate persons during a fire or other emergency. [§ III Fire Safety ¶ 30]				
<u>Food Services</u> Defendants shall provide persons confined in SPC, SIDF, TIDF, RIDF, KYF, and SHDF with food prepared under sanitary conditions. [§ IV Sanitation ¶ 31]	Yes	Bo		
Defendants shall ensure that all personnel supplying or handling food served at SPC, SIDF, TIDF, RIDF, KYF, and SHDF receive training in the basic principles of food protection and food hygiene by the local public health authority or other competent source. Defendants shall maintain records of this training, attested to by the training authority. [§ IV Sanitation ¶ 32]	Yes			Bois "R" US catering caters for the inmates

Defendants shall provide SPC, SDF, TDF, RDF, KYF, and SDF with food warmers and insulated containers to ensure that hot foods are transported and/or stored before and through their service to inmates at or over 140 degrees Fahrenheit and cold foods are kept sufficiently cold to prevent the growth of dangerous bacteria. [§ IV Sanitation ¶ 33]	Yes			Bolis "R"us Caters for the Inmates
Defendants shall ensure that all utensils used to make or distribute any food served at SPC, SDF, TDF, RDF, KYF, and SDF are clean and sanitized either through chemical sanitization in a three-compartment sink or through steaming the surface of utensils to at least 160 degrees Fahrenheit. [§ IV Sanitation ¶ 34]	Yes			
Defendants shall ensure all food or consumption at SPC, SDF, TDF, RDF, KYF, and SDF is stored in a manner to prevent the growth of dangerous bacteria or other dangerous contaminants. Frozen foods shall be stored at or below 0 degrees Fahrenheit. Refrigerated foods shall be stored at or below 45 degrees Fahrenheit. [§ IV Sanitation ¶ 35]	Yes			
Defendants shall provide hot water not to exceed 120 degrees Fahrenheit but above 110 degrees Fahrenheit in the food preparation and service areas SPC, SDF, TDF, RDF, KYF, and SDF, and at any contractor providing food to these facilities, for personal hygiene and cleaning food service utensils. [§ IV Sanitation ¶ 36]	Yes			Food is not prepared @ SPC, but at the caterers place of business
Defendants shall develop pest control plan and ensure SPC, SDF, TDF, RDF, KYF, and SDF are free from pest and vermin. Within 180 days from entry of this Decree, all windows that can be opened shall have screens. [§ IV Sanitation ¶ 37]	Yes			
Defendants shall supply special diets where medically indicated to persons confined in SPC, SDF, TDF, RDF, KYF, and SDF. The formulation of these special diets must be approved by a qualified dietician. [§ IV Sanitation ¶ 38]	Yes			Inmate w/special Diets get the prescription from the Doctors, we then fwd. to the caterer.
Defendants shall establish and document a regular food service equipment and utensil preventive maintenance program to ensure that equipment is functioning properly and that utensils are clean and sanitary. This program shall include regular testing of food utensils used by contractors, and food temperatures at all points in the food storage and preparation process. [§ IV Sanitation ¶ 39]	Yes			Food is not being prepared @ SPC, but at the place of business business of Caterer.

<p><u>Hygiene and Sanitation</u></p> <p>Defendants shall provide persons confined in SPC, SIDF, TDF, RDF, KYF, and SIDF with sanitary conditions of confinement. [§ IV Sanitation ¶ 40]</p>	Yes			
<p>Defendants shall establish and implement written policies and procedures for routine daily housekeeping for all areas of SPC, SIDF, TDF, RDF, KYF, and SIDF. [§ IV Sanitation ¶ 41]</p>	Yes			
<p>Defendants shall ensure that the local public health authority shall conduct health inspections of all areas of SPC, SIDF, TDF, RDF, KYF, and SIDF. Defendants shall implement the public health authority's recommendation within 15 days of receiving them. [§ IV Sanitation ¶ 42]</p>	Yes			
<p>Within 180 days from entry of this Decree, Defendants shall provide at least twenty (20) foot-candles of artificial lighting, measurable thirty-six inches from the floor upward, in all cells and common areas of SPC, SIDF, TDF, RDF, KYF, and SIDF. All lighting fixtures should be enclosed in fixtures appropriate for use in a secure or correctional setting and free from electrical hazards and unsecured wiring. [§ IV Sanitation ¶ 43]</p>	Yes			
<p>Within 180 days from entry of this Decree, Defendants shall provide at least fifteen (15) cubic feet per minute per inmate of fresh forced air via mechanical ventilation with supply and exhaust, temperature controlled or otherwise for all SPC, SIDF, TDF, RDF, KYF, and SIDF cells and common areas. [§ IV Sanitation ¶ 44]</p>	Yes			
<p>Defendants shall provide hot water in all bathrooms at SPC, SIDF, TDF, RDF, KYF, and SIDF for personal hygiene and cleaning of the facility. [§ IV Sanitation ¶ 45]</p> <p>NOTE: SEE ¶65.c. FOR PARTIAL EXCEPTION</p> <p>NOTE: SEE ¶12 FOR EXCEPTION FOR RDF/TDF</p>	n/a for SRC			
<p>Defendants shall provide adequate toilet facilities, including one shower for every twelve inmates, and regular access to toilets at SPC, SIDF, TDF, RDF, KYF, and SIDF. Defendants shall survey each facility for plumbing deficiencies and repair toilets and urinals on a priority basis. Defendants shall ensure that all toilets flush properly, the septic systems are maintained in good working order, bathrooms have working sinks, and showers are free from mold and mildew. Defendants shall comply with this paragraph within 90 days except that Defendant shall have 180 days to comply at SPC with the requirement that Defendants provide one shower for every twelve inmates and flushing toilets. [§ IV Sanitation ¶ 46]</p>	NO YES	<p><i>It affects the Security, due to these areas not being equipped w/ toilet & showers. Attends security & security is compromised every time the door is opened. Slight & sound is compromised</i></p>		<p><i>Due to overcrowding inmates are housed in visitation #2, San. Rm. & library. Prisoners uses the two officers toilet & taken into SMC to utilize the shower.</i></p>

Defendants shall remove all hazardous chemicals from cells and common areas of SPC, SDF, TDF, RDF, KYF, and SIDS. [§ IV Sanitation ¶ 47]	Yes			
Defendants shall provide each inmate with an appropriate place to sleep at SPC, SDF, TDF, RDF, KYF, and SIDS regardless of crowding. Defendants shall provide each inmate adequate bedding and a clean sleeping surface at least twelve inches off the floor. Defendants shall remove all cloth mattress covers and provide all inmates at SPC, SDF, TDF, RDF, KYF, and SIDS with fire, soil, and moisture resistant mattress covers that may be sanitized. [§ IV Sanitation ¶ 48]	No	Compromises the Safety & Security of officers & Inmates & the Institution		Facility is overcrowded due to population. CND, Visitation 1&2, Supervisor Room & Library are given futon but placed on the floor.
<u>Medical Care</u> Defendants shall provide a complete health screening to all persons at SPC, SDF, TDF, RDF, KYF, and SIDS as follows: [§ V Medical Care ¶ 49]	Partial	Due to No Nurse & Doctor available for SPC; Prisoners & officers are at high risk for blood borne pathogen		In the process of getting a nurse from Public Health to address medical issues & also Triage for inmates.
Upon admittance Defendants shall administer a health-screening questionnaire designed to determine whether the inmate has a communicable disease, is in need of medical attention, has special medical needs, is taking prescription medication, is mentally ill, or presents a suicide risk. The screening shall be administered by trained staff and kept with the inmate's record [§ V Medical Care ¶ 49 a.]	Yes			
All inmates confined for seven or more days shall be administered a PPD tuberculosis test within the seven days. Regardless of length of confinement, any person demonstrating symptoms of active tuberculosis or resting positive for tuberculosis shall be administered a chest x-ray within 3 days. All persons with active tuberculosis shall be segregated immediately from the rest of the population in a manner to minimize the risk of tuberculosis transmission and provided appropriate medical care. [§ V Medical Care ¶ 49 b.]	Yes			
All inmates at SPC, SDF, TDF, RDF, and KYF confined for fourteen days or longer, or persons confined at SIDS for 21 days or longer, shall be given a physical health assessment by a physician or physician assistant. The assessment shall include a medical history, and a vital signs examination. The results of the assessment shall be recorded and kept in the inmate's medical record along with the inmate's medical intake screening form [§ V Medical Care ¶ 49 c.]	No	Unless prisoners are truthful about medical, if not, it poses officers & inmates @ high risk for diseases.		In the process of getting a nurse from Public Health to address this issue.

<p>Defendants shall administer medication at SPC, SIDF, TIDF, RIDF, KYF, and SDDF only by a nurse or other individual trained in dispensing medications and recognizing and responding to possible side effects of taking medications.</p> <p>§ IV Medical Care ¶ 501</p> <p>NOTE: SEE ¶12 FOR EXCEPTION FOR RIDF/TIDF</p> <p>Within 180 days from entry of this Decree, Defendants shall train all staff in preventing the spread of communicable diseases and blood-borne pathogens, including TB and HIV.</p> <p>§ IV Medical Care ¶ 511</p>	No				In the process of getting a nurse from Public Health to address this issue
<p>Security and Protection From Harm</p> <p>Defendants shall staff SPC, SIDF, TIDF, and RIDF with an adequate number of full-time correctional officers. Staff at SPC, SIDF, TIDF, RIDF, KYF, and SDDF shall be sufficient number to supervise inmates in the event of an emergency or routine absences, and, at RIDF and TIDF, when detainees are escorted to the lavatories. § VI Security and Protection from Harm ¶ 521</p>	Yes				
<p>Defendants shall train corrections officers, supervisors, and other staff responsible for caring for inmates at SPC, SIDF, TIDF, RIDF, and SDDF in professional corrections practices. All newly hired correctional officers and supervisors shall successfully complete sixty (60) hours of pre-service training before working in the institution, and eighty (80) hours of on the job training supervised by an experienced correctional officer. Defendants shall provide in-service training of a minimum of forty (40) hours per year for all correctional officers after their first year of employment. Training shall include, but is not limited to, certification for CPR, fire safety, inmate mental health, security practices, suicide prevention, and other appropriate curriculum. § VI Security and Protection from Harm ¶ 531</p> <p>NOTE: SEE ¶12 FOR EXCEPTION FOR RIDF/TIDF</p>	Yes				

<p>Within 180 days of entry of this Decree, Defendants shall develop comprehensive facility policies and procedures for SPC, SID, TDF, RDE, KYE, and SHD. Such policies and procedures shall include policies regarding supervising inmates of different classifications. Defendants shall regularly review and revise these policies and procedures as necessary. The United States shall be provided a copy of the final proposal policies and procedures upon their completion. The United States shall have the right to review policies and procedures so developed and, if the United States disagrees with any policy or procedure, shall inform and consult with Defendants to improve the policy or procedure. If the parties are unable to agree on whether a particular policy is appropriate, the matter shall be decided by the Court after briefing by the parties. Defendants shall obtain the assistance of professional consultants in developing these policies and procedures, and may seek the assistance of the National Institute of Corrections. Compliance with the requirements of this paragraph shall not be dependent or contingent, however, upon obtaining assistance from the National Institute of Corrections. Defendants may utilize such other professionals to develop these policies and procedures as they deem appropriate. [§VI Security and Protection from Harm § 54]</p> <p>NOTE: SEE ¶12 FOR EXCEPTION FOR RDE/TDF</p>	Yes		
<p>Defendants shall develop and implement at SPC, SID, TDF, RDE, KYE, and SHD an inmate classification plan utilizing objective and behaviorally based classification standards including nature of offense, criminal history, risk of being a predator/prey, and mental health status (e.g., suicide risk). The classification system shall be based upon safety and security considerations unique to the population at each facility. Defendants shall obtain the assistance of professional consultants in developing the inmate classification system, and may seek the assistance of the National Institute of Corrections in developing a classification system. Compliance with the requirements of this paragraph shall not be dependent or contingent, however, upon obtaining assistance from the National Institute of Corrections. Defendants may utilize such other professionals to develop the inmate classification plan as they deem appropriate. [§VI Security and Protection from Harm § 55]</p>	Yes		

Defendants shall provide regular sight and sound direct supervision of all persons confined at SPC, SDF, TDF, RDE, KYE, and SDF. Defendants shall remove sight-line obstructions such as hanging sheets and towels. [§VI Security and Protection from Harm § 56]	Yes			
Defendants shall provide correctional officers, and other staff supervising inmates at SPC, SDF, TDF, RDE, KYE, and SDF with the ability to communicate at all times while supervising or monitoring inmates, with a central command post at each facility. [§VI Security and Protection from Harm § 57]	Yes			
Defendants shall ensure that correctional officers at SPC, SDF, TDF, RDE, KYE, and SDF make frequent rounds to monitor activity in inmate housing areas. Appropriate documentation of security checks shall be maintained in a manner that is readily identifiable and verifiable. Sufficient officer rounds shall be made within the housing units to provide inmates reasonable protection from harm. At minimum, in maximum and medium security housing areas such rounds shall be made and recorded on at least fifteen (15) minute intervals. [§VI Security and Protection from Harm § 58]	Yes			
Defendants shall provide special needs (e.g., suicide-watch), protective custody, and disciplinary/maximum security housing areas at SPC, SDF, TDF, RDE, KYE, and SDF for inmates who must be separated from the general population and/or in need of frequent or constant supervision. Suicide-watch cells must be free from "hanging points." Staff shall monitor potentially suicidal inmates at least every fifteen (15) minutes and record such monitoring. Staff shall continuously monitor suicidal inmates. [§VI Security and Protection from Harm § 59]	No	Due to overcrowding in the facility in our observation cannot separate suicidal		
Within 180 days from entry of this Decree, Defendants shall install a secure perimeter fence around SPC, SDF, TDF, RDE, KYE, and SDF, appropriate to the inmate classification and population at each facility. Each fence shall have adequate lighting and be monitored. [§VI Security and Protection from Harm § 60] NOTE: SEE §12 FOR EXCEPTION FOR RDE/TDF	No	Compromises Safety & Security of the Institution		
Defendants shall ensure that males and females at KYE do not commingle unless directly supervised by staff. [§VI Security and Protection from Harm § 61]	Yes			Due to on-going construction of new prison complex, SPC no longer has separate areas; Demolished by contractor

<p>Defendants shall control and account for the location of all tools, utensils, and personal effects that could be used as a weapon. Defendants shall secure all areas in which metal objects are stored or disposed. Defendants shall install "shadow boards" in tool storage and kitchen utensil areas and daily account for and document all tools and utensils accessible to inmates. Inmates shall not have access to any area in which metal objects are stored or held for removal as trash, unless directly and constantly supervised by staff. Correctional officers shall search inmates and housing areas for contraband articles. [§VI Security and Protection from Harm ¶ 62]</p> <p>NOTE: SEE ¶12 FOR EXCEPTION FOR RDF/TDF</p>	✓ ₁₅			
<p>New Construction</p> <p>Any new facility(ies) built or operated by Defendants, or their agents or contractors, to detain or confine inmates shall comply with the provisions of this Decree. [§VII New Construction ¶ 63]</p>	✓ ₁₅			
<p>Any new facility(ies) built or operated by Defendants, or their agents or contractors to detain or confine inmates shall be designed by an architect with experience in designing correctional facilities. Defendants shall provide the United States with the architectural plans for such facility(ies) for the United States' review and comments. [§VII New Construction ¶ 64]</p>	✓ ₁₅			

<p>Defendants have provided the United States with the following schedule termed "Planning Schedule for New Facilities": December 1998, Defendants shall have hired an expert consultant as a project manager for the new facility construction project; September 1999, Defendants shall award the architectural and engineering contract for the new facility; May 2000, Defendants shall begin construction of the new facility. If Defendants follow this schedule and progress at a reasonable pace in constructing the new facility(ies), Defendants need not comply with the following provisions of this Decree for the current facilities, provided that the current facilities are not used to detain and confine inmates upon the opening of the new facility(ies):</p> <p>§VII New Construction ¶ 65]</p> <p>Paragraph 14 in that it requires the fire alarm and smoke detection system to operate as an integrated system alerting a central control panel and directly notifying the fire department. Defendants may instead use single unit battery operated alarms and smoke detectors provided such units are tested and serviced weekly. In addition, each unit shall be continuously supervised by staff with two-way communication to a central control that can immediately respond to the emergency, including immediately contacting the fire department. §VII New Construction ¶ 65 a.]</p> <p>Paragraph 22 regarding installation of fire sprinklers; §VII New Construction ¶ 65 b.]</p> <p>Paragraph 45 as it applies to hot water in the lavatories at SPC and SIDF. §VII New Construction ¶ 65 c.]</p>			
<p><u>Compliance</u></p> <p>Ninety (90) days following entry of this Decree and every six (6) months thereafter until this Decree is terminated, the CNMI shall file with the Court, with a copy to the United States, a status report delineating all steps taken during the reporting period to comply with each provision of this Decree. The CNMI shall state whether any internal or external audits of the functions of SPC, SIDF, TIDF, RIDF, KYF, and SIDF have been performed and will summarize the subject matter and results of such reports. The CNMI shall provide the United States with copies of these reports or audits upon request. §VIII Compliance ¶ 66]</p>	<p>4/05</p>		<p>changed to report Quarterly</p>